

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,)	
)	INFORMATION
Plaintiff,)	
)	(18 U.S.C. § 1030)
v.)	(18 U.S.C. § 1343)
)	(18 U.S.C. § 2)
JAMES W. MOEN,)	
)	
Defendant.)	

THE UNITED STATES ATTORNEY CHARGES THAT:

INTRODUCTION

1. James W. Moen, a resident of Eden Prairie, Minnesota, was admitted to the practice of law in the State of Minnesota in 1984. He was employed by Katun Corporation as an in-house attorney from May 11, 1990 to June 4, 2003. Between June 1994 and June 4, 2003, Moen served as Katun's General Counsel and held the position of Vice President. As such, he was aware of various statutes and Katun policies prohibiting the unlawful use of other companies' protected competitive information.

2. Beginning prior to March 1997 and continuing until about mid-2001, Katun Corporation's travel department employees made domestic airline reservations and purchased round trip business airline tickets for Katun employees by using a dedicated phone line computer reservation system, all via interstate commerce.

COUNT 1
(Wire Fraud)

3. Between March 1997 and February 2000, in the State and District of Minnesota and elsewhere, the defendant,

JAMES W. MOEN,

aided and abetted by others, did knowingly and intentionally engage in a scheme to defraud various airlines and obtain money and property by means of false and fraudulent pretenses, by using airline tickets purchased by his employer, Katun Corporation, for business travel, which allowed defendant to travel on a reduced fare, extended stay ticket, when, in fact, defendant never intended to engage in return travel on the dates ticketed, and did not travel on those dates, but instead returned on earlier dates than ticketed with the intent to defraud the airlines out of the increase fare that would have been incurred for the actual travel dates.

4. On or about January 14, 2000, for the purpose of executing the above-described scheme and artifice to defraud and obtain money and property by means of false and fraudulent pretenses, the defendant, aided and abetted by others, did knowingly cause to be transmitted by means of wire communications in interstate commerce certain writings, signals, pictures, and sounds, that is, the reservation and purchase of a Delta Airlines ticket for defendant to engage in round-trip business travel between Minneapolis, Minnesota and Atlanta, Georgia, involving travel to Atlanta on February 5, 2000 and a supposed return trip to Minneapolis on February 15, 2000, when in truth, defendant always intended to return to Minneapolis on or about February 9, 2000 and

did return on that date, costing Delta Airlines approximately \$900 in lost revenue.

All in violation of Title 18, United States Code, Sections 1343 and 2.

COUNT 2
(Fraud in Connection with Computers)

5. From in or about September 2002 to in or about March 2003, in the State and District of Minnesota and elsewhere, the defendant,

JAMES W. MOEN,

did knowingly aid and abet others to access the password protected, secure computer websites of other business entities, such as Canon U.S.A., Inc., and Ricoh Corporation, without authorization and did thereby obtain confidential, protected competitive information from protected computers where the conduct involved interstate and foreign communication and the unauthorized access offenses were committed for purposes of commercial advantage.

All in violation of Title 18, United States Code, Sections 1030(a)(2)(C), and 1030(c)(2)(B)(i), and Section 2.

Respectfully submitted,

Dated: January 22, 2004

THOMAS B. HEFFELFINGER
United States Attorney

BY: HENRY J. SHEA
Assistant U.S. Attorney
Attorney ID Number 165384